

PD-1130-19

IN THE COURT OF
CRIMINAL APPEALS

MARVIN RODRIGUEZ

§

V.

§

STATE OF TEXAS

§

§

§

FILED
COURT OF CRIMINAL APPEALS
10/29/2019
DEANA WILLIAMSON, CLERK
No. _____

APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE
PETITION FOR DISCRETIONARY REVIEW

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

COMES NOW, Marvin Rodriguez, Appellant, by and through his attorney of record, and moves this Court to allow him a thirty-day extension pursuant to TEX. R. APP. P. 68.2(c) in which to file his petition for discretionary review, on November 27, 2019. The following allegations are made in support of this motion:

I.

The court below is the 396th District Court of Tarrant County. The style and number of the case is *State v. Rodriguez*, cause number 1432306D. Appellant was convicted of murder and sentenced to twenty years in prison. Appellant is incarcerated. The Second Court of Appeals issued an opinion affirming the trial court's judgment. *See Rodriguez v. State*, No. 02-17-00371-CR (Tex. App.—Fort Worth Aug. 1, 2019). Appellant filed a motion for rehearing which was denied on September 26, 2019.

II.

Appellant's petition is currently due in this Court October 28, 2019. This is Appellant's first request for an extension. This extension is not requested for purposes of delay. Other work over the past month, including consulting with other attorneys on appeals and CPS litigation has prevented undersigned counsel from completing this PDR before the due date.

WHEREFORE, PREMISES CONSIDERED, Appellant prays that the Court grant this request and allow Appellant to file his petition for review on November 27, 2019.

Respectfully submitted,

/s/ Jim Gibson
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CERTIFICATE OF SERVICE

A copy of this motion has been sent via electronic mail to the attorney for the State on October 28, 2019.

/s/ Jim Gibson
Jim Gibson